

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

TIMOTHY A. BAXTER,

Plaintiff,

v.

CORE CIVIC, *et al.*,

Defendants.

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Case No. 3:18-cv-01338

ORDER

The Magistrate Judge has entered a Report and Recommendation (Doc. No. 42) that recommends this action be dismissed without prejudice and Defendants' Motion for Summary Judgment (Doc. No. 29) be deemed moot. No objections have been filed. Having considered the matter *de novo* in accordance with Rule 72 of the Federal Rules of Civil Procedure, the Court agrees with the recommended disposition because Plaintiff has failed to prosecute this action within the meaning of Rule 41(b).

Accordingly, (1) the Report and Recommendation (Doc. No. 42) is **ADOPTED** and **APPROVED**; (2) this action is **DISMISSED WITHOUT PREJUDICE** for failure to prosecute; and (3) Defendants' Motion for Summary Judgment (Doc. No. 29) is **DENIED AS MOOT**. The Clerk of the Court shall enter a final judgment and close this case.

IT IS SO ORDERED.



WAVERLY D. CRENSHAW, JR.
CHIEF UNITED STATES DISTRICT JUDGE